

AMENDED IN ASSEMBLY APRIL 23, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1710

**Introduced by Committee on Labor and Employment (Swanson
(Chair), DeSaulnier, Laird, Leno, and Ruskin)**

February 28, 2007

An act to amend Section 1205 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1710, as amended, Committee on Labor and Employment. ~~Local jurisdictions.~~ *Temporary services employees: wages.*

This bill would express the intent of the Legislature to address issues involving the payment of wages to employees in the temporary services industry.

~~Under existing law, the fundamental authority to regulate wages, hours, and working conditions lies within the police power of both the state and local jurisdictions. Existing law provides that the state laws regulating these matters do not restrict the exercise of local police powers in a more stringent manner.~~

~~This bill would require the Department of Industrial Relations, to the extent possible within existing resources, to obtain copies of local labor standards and post them on its Web site.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to address issues~~
2 ~~involving the payment of wages to employees in the temporary~~
3 ~~services industry.~~

4 ~~SECTION 1. Section 1205 of the Labor Code is amended to~~
5 ~~read:~~

6 ~~1205. (a) As used in this section:~~

7 ~~(1) “Local jurisdiction” means any city, county, district, or~~
8 ~~agency, or any subdivision or combination thereof.~~

9 ~~(2) “State agency” means any state office, officer, department,~~
10 ~~division, bureau, board, commission, or agency, or any subdivision~~
11 ~~thereof.~~

12 ~~(3) “Labor standards” means any legal requirements regarding~~
13 ~~wages paid, hours worked, and other conditions of employment.~~

14 ~~(b) Nothing in this part shall be deemed to restrict the exercise~~
15 ~~of local police powers in a more stringent manner.~~

16 ~~(c) When a local jurisdiction expends funds that have been~~
17 ~~provided to it by a state agency, operates a program that has~~
18 ~~received assistance from a state agency, or engages in an activity~~
19 ~~that has received assistance from a state agency, labor standards~~
20 ~~established by the local jurisdiction through exercise of local police~~
21 ~~powers or spending powers shall take effect with regard to that~~
22 ~~expenditure, program, or activity, so long as those labor standards~~
23 ~~are not in explicit conflict with, or explicitly preempted by, state~~
24 ~~law. A state agency may not require as a condition to the receipt~~
25 ~~of state funds or assistance that a local jurisdiction refrain from~~
26 ~~applying labor standards established by the local jurisdiction to~~
27 ~~expenditures, programs, or activities supported by the state funds~~
28 ~~or assistance in question.~~

29 ~~(d) To the extent possible within existing resources, the~~
30 ~~Department of Industrial Relations shall obtain copies of labor~~
31 ~~standards established by local jurisdictions and post them on the~~
32 ~~department’s Web site for access by the general public.~~